

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: BARRY LEE TAGGART, JR. : **CHAPTER 13**
:
Debtor :
: **BANKRUPTCY NO. 23-12637-mdc**
:
: **HEARING DATE: April 11, 2024**
: **TIME: 9:30 am**
: **LOCATION: Courtroom #2**

**DEBTOR'S RESPONSE TO TRUSTEE'S MOTION
TO DISMISS PURSUANT TO 11 U.S.C. SECTION 1307**

Barry Lee Taggart, Jr. ("Debtor"), by and through his attorneys Lohr & Associates, Ltd., comes forward to file this Response to Trustee's Motion to Dismiss Pursuant to 11 U.S.C. Section 1307, and in support thereof avers as follows:

1. Admitted.
2. Admitted.
3. Denied. Debtor has filed his Second Amended Chapter 13 Plan (Bankr. Dkt. #31), which provides for 100% payment to priority and general unsecured creditors and cures all arrearages on Debtor's secured debt. The Debtor's confirmation hearing is scheduled for 4/11/2024, at 9:30 a.m., at which time the Debtor will request this Honorable Court to waive the twenty-eight day service requirement as it is a 100% plan. Accordingly, there is no "prejudicial delay" to the Debtor's creditors.

WHEREFORE, the Debtor requests that this Honorable Court DENY Trustee's Motion to Dismiss and such other relief as deemed just and appropriate.

Lohr & Associates, Ltd.

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